

## UNITED STATES DISTRICT COURT

for the

District of

New Jersey

United States of America

v.

RAYMOND DIFABIO

**ORDER SETTING CONDITIONS  
OF RELEASE**

Case Number: 11-MJ-5017-8(DEA)

Defendant

IT IS ORDERED on this 11<sup>TH</sup> day of May, 2011 that the release of the defendant is subject to the following conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address and/or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed.

**Release on Bond**

Bail be fixed at \$ 100,000 and the defendant shall be released upon:

- ( ☒ ) Executing an unsecured appearance bond ( ) with co-signor(s) \_\_\_\_\_;
- ( ) Executing a secured appearance bond ( ) with co-signor(s) \_\_\_\_\_,  
and ( ) depositing in cash in the registry of the Court \_\_\_\_\_% of the bail fixed; and/or ( ) execute an agreement to forfeit designated property located at \_\_\_\_\_.
- Local Criminal Rule 46.1(d)(3) waived/not waived by the Court.
- ( ) Executing an appearance bond with approved sureties, or the deposit of cash in the full amount of the bail in lieu thereof;

**Additional Conditions of Release**

Upon finding that release by the above methods will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, it is further ordered that the release of the defendant is subject to the condition(s) listed below:

IT IS FURTHER ORDERED that, in addition to the above, the following conditions are imposed:

- ( ☒ ) Report to Pretrial Services ("PTS") as directed and advise them immediately of any contact with law enforcement personnel, including but not limited to, any arrest, questioning or traffic stop.
- ( ☒ ) The defendant shall not attempt to influence, intimidate, or injure any juror or judicial officer; not tamper with any witness, victim, or informant; not retaliate against any witness, victim or informant in this case.
- ( ) The defendant shall be released into the third party custody of \_\_\_\_\_

*who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.*

Custodian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- ( ☒ ) The defendant's travel is restricted to ( ☒ ) New Jersey ( ) Other \_\_\_\_\_ ( ) unless approved by Pretrial Services (PTS).
- ( ☒ ) Surrender all passports and travel documents to PTS. Do not apply for new travel documents.
- ( ☒ ) Substance abuse testing and/or treatment as directed by PTS. Refrain from obstructing or tampering with substance abuse testing procedures/equipment.
- ( ☒ ) Refrain from possessing a firearm, destructive device, or other dangerous weapons. All firearms in any home in which the defendant resides shall be removed by 24 hours and verification provided to PTS.
- ( ☒ ) Mental health testing/treatment as directed by PTS.
- ( ) Abstain from the use of alcohol.
- ( ) Maintain current residence or a residence approved by PTS.
- ( ) Maintain or actively seek employment and/or commence an education program.
- ( ) No contact with minors unless in the presence of a parent or guardian who is aware of the present offense.
- ( ) Have no contact with the following individuals: \_\_\_\_\_
- ( ) Defendant is to participate in one of the following home confinement program components and abide by all the requirements of the program which ( ) will or ( ) will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
- ( ) (i) **Curfew.** You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or
- ( ) (ii) **Home Detention.** You are restricted to your residence at all times except for the following: education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by the pretrial services office or supervising officer. Additionally, employment ( ) is permitted ( ) is not permitted.
- ( ) (iii) **Home Incarceration.** You are restricted to your residence under 24 hour lock-down except for medical necessities and court appearances, or other activities specifically approved by the court.
- ( ) Defendant is subject to the following computer/internet restrictions which may include manual inspection and/or the installation of computer monitoring software, as deemed appropriate by Pretrial Services. The defendant shall pay all or part of the cost of the monitoring software based upon their ability to pay, as determined by the pretrial services office or supervising officer.
- ( ) (i) **No Computers** - defendant is prohibited from possession and/or use of computers or connected devices.
- ( ) (ii) **Computer - No Internet Access:** defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc);
- ( ) (iii) **Computer With Internet Access:** defendant is permitted use of computers or connected devices, and is permitted access to the Internet (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc.) for legitimate and necessary purposes pre-approved by Pretrial Services at [ ] home [ ] for employment purposes.
- ( ) (iv) **Consent of Other Residents** -by consent of other residents in the home, any computers in the home utilized by other residents shall be approved by Pretrial Services, password protected by a third party custodian approved by Pretrial Services, and subject to inspection for compliance by Pretrial Services.
- ( ☒ ) Other: Refrain from use or unlawful possession of a narcotic drug or other controlled substances, unless prescribed by a licensed medical practitioner.
- ( ) Other: \_\_\_\_\_
- ( ) Other: \_\_\_\_\_

